

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Fair Isaac Corporation,

Case No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

ORDER

Federal Insurance Company,

Defendant.

This matter is before the Court regarding Plaintiff FICO's unopposed Motion for Further Consideration of Sealing [Docket No. 669] with respect to 6 documents covered by the Court's October 9, 2019 Order on sealing [Docket No. 590].

The Court also addresses Defendant Federal's follow-up letters dated November 6 and 12, 2019 [Docket Nos. 668, 677] and Plaintiff FICO's follow-up filings [Docket No. 666] pursuant to the Court's previous orders on sealing.

I. Motion for Further Consideration #669. The parties ask the Court to permit the filing of public redacted versions of 6 documents and to keep sealed the unredacted versions of the documents. The 6 documents are Docket No. 334 – Exhibits 1, 2, and 3¹, 460-1, 460-7, and 460-10. **The Court grants motion #669 but, as set forth below, in order for the Clerk's Office to implement the Court's ruling, Defendant Federal must (1) re-file documents that it bulk-filed in No. 334, because the Court cannot**

¹ The parties did not move for reconsideration of the Court's ruling with respect to the remaining exhibits in Docket No. 334.

seal only part of a single docket entry; and (2) file a public redacted version of No. 460-1.

First, the Court grants motion #669 to permit redaction of confidential pricing information in Docket Nos. 460-7 and 460-10. On December 3, 2019 Plaintiff FICO filed public redacted versions [Docket Nos. 679-1 and 679-2] of those documents, which the Court reviewed and found to be appropriate. Therefore the Court will order Nos. 460-7 and 460-10 to remain sealed.

Second, the Court grants motion #669 with respect to filing public redacted versions of the agreements in Exhibits 1, 2, and 3 in No. 334; and No. 460-1. The scope of the redactions should be the same as was done in the past for these documents. In order to implement the order to seal the unredacted versions of the documents, Defendant Federal will need to re-file documents in No. 334 and file a redacted version of No. 460-1 as explained in the order below. When it has done so, the Court will issue an order regarding sealing of No. 334, which will conclude Joint Motion #454, and regarding sealing of 460-1, which will conclude Joint Motion #529.

II. The parties' follow-up filings in response to the Court's previous orders.

A. In Docket Nos. 677-1, 677-2, and 677-3 Defendant Federal filed the relevant exhibits as public documents. Therefore, the Court will order Nos. 317-1, 317-2, and 317-3 (which contain the remaining exhibits) to remain sealed. This concludes Joint Motion #359.

B. In Docket No. 666, Plaintiff FICO filed a public redacted version of the document at issue. Therefore, the Court will order No. 503-10 to remain sealed.

C. Defendant Federal clarified in a letter [Docket No. 668] that it intended Nos. 487-2 and 651-1 to be public documents rather than sealed. Therefore, the Court will order Nos. 487-2 and 651-1 to be unsealed. This, along with paragraph B above, concludes Amended Joint Motion #664.

IT IS HEREBY ORDERED:

1. The **Motion for Reconsideration [Docket No. 669]** of six documents covered by the Court's Order [Docket No. 590] is **GRANTED; however, in order to implement the order**, Defendant Federal must take the following actions with respect to Docket Nos. 334 and 460-1:

a. **No later than January 22, 2020 Defendant Federal shall re-file** the documents in Docket No. 334 as follows: it shall re-file Exhibits 1, 2, and 3 in public redacted form, and shall re-file Exhibits 4 through 9 (which were not part of the motion for reconsideration) as public documents. When it has done so, the Court will issue an order regarding sealing of No. 334.

b. **No later than January 22, 2020 Defendant Federal shall file a** public redacted version of Docket No. 460-1. When it has done so, the Court will issue an order regarding sealing of No. 460-1.

2. The Clerk is directed to keep the following documents **sealed**: Docket Nos. 317-1, 317-2, 317-3, 460-7, 460-10, and 503-10.

3. The Clerk is directed to **unseal** the following documents: Docket Nos. 487-2 and 651-1.

4. The parties did not seek reconsideration of the Court's ruling on the remaining documents covered in the Court's Order [Docket No. 590, regarding Joint

Motions #359, #454, and #529]. Therefore the ruling became final when the deadline to move for reconsideration expired under Local Rule 5.6. Those docket numbers, as originally ordered, are:

Sealed: Docket No. 320.

Unsealed: Docket Nos. 315, 316, 317, 324, 327, 327-1, 339, 341, 345, 348, 348-1, 353, 356, 356-1, 458, 460, 460-2 through 460-6, 460-8, 460-9, 460-11 through 460-14, 464, 465, 468, 471, and 471-1 through 471-8.

Dated: January 15, 2020

s/David T. Schultz _____
DAVID T. SCHULTZ
United States Magistrate Judge